

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

**08-cv-0336**

JUDGE:

**KMW**

DATE:

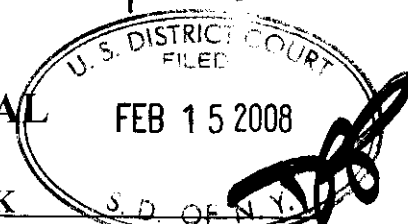
**Feb. 15, 2008**

*Primous*

-v-

*The Orchard Enterprises, Inc.*

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

**THOMAS R. PISARCZYK**

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 15th Day of February, 2008.

**UNITED STATES DISTRICT COURT  
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*Primous*  
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U.S.D.C. # *08-cv-0336*  
JUDGE: *KMW*  
DATE: *Feb 15, 2008*

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered \_\_\_\_\_ Through \_\_\_\_\_, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this *15<sup>th</sup>* Day of *February* In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

*[Signature]*  
Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-00336-KMW**  
**Internal Use Only**

Primous v. The Orchard Enterprises, Inc.  
Assigned to: Judge Kimba M. Wood  
Cause: 28:1331 Fed. Question

Date Filed: 01/15/2008  
Date Terminated: 01/15/2008  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
01/15/2008	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Matthew Primous.(laq) (Entered: 01/18/2008)
01/15/2008	<u>2</u>	COMPLAINT against The Orchard Enterprises, Inc. Document filed by Matthew Primous.(laq) (Entered: 01/18/2008)
01/15/2008		Magistrate Judge Douglas F. Eaton is so designated. (laq) (Entered: 01/18/2008)
01/15/2008	<u>3</u>	ORDER OF DISMISSAL, The Court grants plaintiff's application to proceed in forma pauperis, but dismiss the complaint for the reasons set forth. Accordingly, the complaint is dismissed for lack of subject matter jurisdiction. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/15/08) (laq) (Entered: 01/18/2008)
01/15/2008	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/15/08) (laq) (Entered: 01/18/2008)
01/29/2008	<u>5</u>	NOTICE OF APPEAL from <u>4</u> Judgment - Sua Sponte (Complaint) <u>3</u> Order Dismissing Complaint (I.F.P.). Document filed by Matthew Primous. (tp) (Entered: 02/14/2008)
01/29/2008		Appeal Remark as to <u>5</u> Notice of Appeal filed by Matthew Primous. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/18/08. (tp) (Entered: 02/14/2008)
02/14/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/14/2008)
02/14/2008		Transmission of Notice of Appeal to the District Judge re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/14/2008)